

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
June 4, 1975

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. on Wednesday, June 4, 1975, in the City Hall Council Chambers.

ROLL CALL

Present: Councilmen - EHRHARDT, HUGHES, KATNICH,
PINKERTON, and SCHAFFER
(Mayor)

Absent: Councilmen - None

Also Present: City Manager Henry Graves, Assistant City Manager Glenn, City Attorney Robert Mullen, Planning Director Schroeder, and Public Works Director Ronsko.

INVOCATION

The invocation was given by Rev. Robert W. Matthies, St. Paul Lutheran Church.

PLEDGE

Mayor Schaffer led the Pledge of Allegiance to the flag.

MINUTES

Councilman Pinkerton moved the minutes of May 21, 1975 be approved as written and mailed. The motion was seconded by Councilman Katnich and carried.

EPA
DISCUSSION

Mayor Schaffer directed that the matter of the Environmental Protection Agency and its implementation of the Clean Air Act, which was discussed at the May 21, 1975 regular Council meeting and deferred, be set for Shirt-sleeve Session discussion.

PUBLIC HEARINGS

FERRAILOLO
REQUEST TO
REZONE TO C-2

Notice thereof having been published in accordance with law and affidavit of publication being on file in the office of the City Clerk, Mayor Schaffer called for the public hearing to consider the recommendation of the Planning Commission for approval of the rezoning request of John Ferraiolo to rezone a parcel located at 543 E. Pine Street, Lodi, Lot 10, Marchand Addition, from the R-HD, Residential High Density - Multiple Family District, to the C-2 General Commercial District.

Planning Director James Schroeder introduced the matter, presenting a diagram of the area proposed for rezoning, and outlined the recommendation.

There being no persons in the audience wishing to speak either in favor of or in opposition to the proposed rezoning, the public portion of the hearing was closed.

ORD. NO. 1052
INTRODUCED

Following discussion, Councilman Katnich moved introduction of Ordinance No. 1052 - "Amending the Official District Map of the City of Lodi and Thereby Rezoning a Parcel Located at 543 East Pine Street, Lodi, to be in the C-2,

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General Commercial District." The motion was seconded by Councilman Pinkerton and carried.

REQUEST TO
RECLASSIFY
IN VINEYARD
SUBDIVISION
FROM DUPLEX
TO SINGLE
FAMILY LOTS

Notice thereof having been published in accordance with law and affidavit of publication being on file in the office of the City Clerk, Mayor Schaffer called for the public hearing to consider the recommendation of the Planning Commission for the approval of a rezoning request by Aladdin Real Estate to reclassify lots 9, 10, 11, 12, 15, 16, 17, 18, 19, and 20 in P-D (10), Planned Development District No. 10 from Duplex to Single Family lots.

Mr. Jim Gerard, Aladdin Real Estate, 620 W. Lodi Ave., Lodi spoke in favor of the request to reclassify these lots, stating this would benefit the Vineyard Subdivision as they have an abundance of the R-2 lots in this subdivision.

There being no other persons in the audience wishing to speak either in favor of or in opposition to the proposed rezoning, the public portion of the hearing was closed.

ORD. NO.
1053
INTRODUCED

Following discussion, Councilman Ehrhardt moved introduction of Ordinance No. 1053 - "Amending the Official District Map of the City of Lodi By Amending Ordinance 976 Changing a Portion of the Land Use Located Within the Vineyard Subdivision, and Within Planned Development District No. 10 (P-D (10))." The motion was seconded by Councilman Hughes and carried.

GENERAL
PLAN LAND
USE ELEMENT
REVISION

Notice thereof having been published in accordance with law and affidavit of publication being on file in the office of the City Clerk, Mayor Schaffer called for the public hearing to consider the recommendation of the City Planning Commission for approval of General Plan Amendment 75-2, which revises the industrial portion of the City's General Plan Land Use Element.

Councilman Pinkerton stated he wished to abstain from the discussion and voting because of a possible conflict of interest.

Planning Director James Schroeder introduced the matter and presented diagrams of the areas involved.

There being no persons in the audience wishing to speak either in favor of or in opposition to the proposed rezoning, the public portion of the hearing was closed.

A discussion followed, with questions being directed to Mr. Schroeder by the Council.

ORD. NO.
1054
INTRODUCED

Councilman Katnich moved introduction of Ordinance No. 1054 - "An Ordinance Amending the General Plan of the City of Lodi, which Amendment is hereby designated General Plan Amendment 75-2, and which Amendment hereby revises the Industrial Portion of the City's General Plan Land Use

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Element."

The motion was seconded by Councilman Ehrhardt and carried by the following vote:

Ayes: Councilmen - Ehrhardt, Hughes, Katnich, and Schaffer

Noes: Councilmen - None

Abstain: Councilmen - Pinkerton

Absent: Councilmen - None

COMMUNICATIONS

ABC LICENSE

An application for Alcoholic Beverage License was received for Dora C. Martin, Raymond L. Martin, and Robert J. McBryde, Westside Market, 431 W. Locust Street, Lodi - Off Sale Beer and Wine License, New License.

FEDERAL HOUSING & COMMUNITY DEVELOPMENT ACT OF 1974

The City Clerk presented a resolution of the City Council of the City of Manhattan Beach, California, which requested the Federal Government to modify the Housing and Community Development Act of 1974 to allocate block grant funds for cities with a population of 50,000 or less.

Mayor Schaffer directed that this matter be set for future Shirtsleeve Session discussion.

P.U.C. APPLICATIONS

The following correspondence regarding applications before the Public Utilities Commission of the State of California has been received and was presented to the Council:

a) Application No. 55661 of the Pacific Gas and Electric Company for authority to adjust its rates as necessary to provide funds to make the payments required under a certain Funding Agreement related to Northern Alaska Natural Gas. The hearing on this application has been set for July 16, 1975 at 10:00 a.m. in the Commission Courtroom, State Building, 350 McAllister Street, San Francisco.

b) An Order of Dismissal has been received regarding Application No. 55086 filed by Greyhound Lines, Inc. (Western Division) on August 2, 1974 for authority to publish automatic labor cost adjustment tariff provisions.

CITIZENS URGED TO SIGN LETTERS

Councilman Ehrhardt requested that citizens please sign letters addressed to Councilmen stressing their position on certain issues, as without signatures, it is impossible for the Council to communicate with these citizens on those matters of concern.

Councilman Katnich addressed the Council regarding his concern of certain unsafe areas traversed by children in

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going to and from schools, asking that safety installations be made for the protection of children using these routes. The areas of his concern are:

SAFETY INSTALLATIONS
URGED
FOR PROTECTION
OF SCHOOL
CHILDREN

Central Avenue and Railroad Avenue - Councilman Katnich suggested that fencing be installed for the protection of children using this route in going to and from school.

Mills Avenue at the General Mills intersection (North side of Turner Road, directly east of the tracks) Councilman Katnich suggested that the City fence this property and provide a walkway large enough for both bicycle and foot traffic.

Councilman Katnich also suggested that the City work with the County in making Turner Road and Lower Sacramento Road a 4-way stop, also providing cross-walks in that area.

Public Works Director Ronsko stated that this intersection is presently under study, and that a presentation would be made shortly to the Council regarding their findings.

Considerable discussion followed, with Mayor Schaffer directing Staff to place this matter on the schedule for Tuesday morning Shirtsleeve discussion.

CONSENT
CALENDAR

In accordance with the report and recommendation of the City Manager, the following actions hereby set forth between asterisks, on motion of Councilman Pinkerton, Katnich second, were approved by Council.

CLAIMS

CLAIMS WERE APPROVED IN THE AMOUNT OF \$388,024.94.

AWARD -
CENTURY BLVD.
SANITARY
SEWER &
STORM DRAIN

Per report of the City Manager, bids were received for the "Century Boulevard Sanitary Sewer and Storm Drain - SPRR to Stockton Street" as follows:

<u>Bidder</u>	<u>Amount</u>
Claude C. Wood Co.	\$103,056.15
A & E Pipe Lines, Inc.	\$117,391.00
C. V. O'Neill, Inc.	\$119,191.00
Teichert Construction	\$124,220.00
Parrish, Inc.	\$130,945.00
Valley Irrigation Co.	\$142,430.00
C. W. Roen Construction	\$155,470.00

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Report and recommendation of the City Manager indicated that the award be made to the low bidder, Claude C. Wood Co. in the amount of \$103,056.15.

RES. NO. 4066

RESOLUTION NO. 4066

RESOLUTION AWARDING THE CONTRACT FOR CENTURY BOULEVARD SANITARY SEWER AND STORM DRAIN - SPRR TO STOCKTON STREET TO THE CLAUDE C. WOOD COMPANY IN THE AMOUNT OF \$103,056.15.

AWARD -
WELL NO. 17
BLOCK WALL

City Manager Glaves presented the bids received for Well No. 17 Block Wall as follows:

	<u>Bidder</u>	<u>Amount</u>
RES. NO. 4067	Angelo Fanos	\$ 9,600.00
	Case Construction Co.	\$12,566.50
	Hess Concrete Construction	\$13,010.00

Report and recommendation of the City Manager indicated that the award be made to Angelo Fanos, the low bidder, in the amount of \$9,600.00.

RESOLUTION NO. 4067

RESOLUTION AWARDING THE CONTRACT FOR WELL NO. 17 BLOCK WALL TO ANGELO FANOS, THE LOW BIDDER, IN THE AMOUNT OF \$9,600.00.

R/W
CERTIFICATE
APPRVD. FOR
LODI AVE.
STREET
IMPROVE-
MENTS

The City Manager requested that the City Council adopt a resolution authorizing the Mayor to execute the Right-of-Way Certificate for the "Lodi Avenue Street Improvements, Cabrillo Circle to Wood Drive," stating that this action is required in the processing of the "Lodi Avenue Street Improvements" under the Urban "D" funding program. The Resolution essentially states that the right-of-way is existing and that no additional right of way will be required for the improvement. The State is asking to hold them harmless for any liability which may result in the event the right-of-way is not clear as certified.

RES. NO. 4068

RESOLUTION NO. 4068

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE THE RIGHT-OF-WAY CERTIFICATE FOR THE "LODI AVENUE STREET IMPROVEMENTS, CABRILLO CIRCLE TO WOOD DRIVE."

R/W
CERTIFICATE
APPRVD. FOR
ELM STR.
IMPROVEMENTS

The City Manager requested that the City Council adopt a like resolution authorizing the Mayor to execute the Right-of-Way Certificate for the "Elm Street Street Improvements, Lower Sacramento Road to Mills Avenue."

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RESOLUTION NO. 4069

RES. NO. 4069

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE THE RIGHT-OF-WAY CERTIFICATE FOR THE "ELM STREET STREET IMPROVEMENTS, LOWER SACRAMENTO ROAD TO MILLS AVENUE."

City Manager Graves apprised the Council that the contract for City Hall Project IV was awarded to Angelo Fanos of Lodi on October 29, 1974 in the amount of \$71,971.00. The contract has been completed in substantial conformance with the plans and specifications approved by the City Council.

City Manager Graves presented Change Order No. 2 covering modifications to the roll-up grille and miscellaneous electric additions, adding an additional \$334.00 to the contract.

ACCEPT
CITY HALL
REMODEL
PROJECT IV
& APPRV.
CHANGE ORDER
NO. 2

The City Manager recommended that the Council accept the improvements in "City Hall Remodel, Project IV"; direct the Public Works Director to file a Notice of Completion with the County Recorder's office; and approve Change Order No. 2 in the amount of \$334.00.

COUNCIL ACCEPTED THE IMPROVEMENTS IN "CITY HALL REMODEL, PROJECT IV", DIRECTED THE PUBLIC WORKS DIRECTOR TO FILE A NOTICE OF COMPLETION WITH THE COUNTY RECORDER'S OFFICE; AND APPROVED CHANGE ORDER NO. 2 IN THE AMOUNT OF \$334.00.

REPORTS OF
THE CITY
MANAGER

City Manager Graves presented the bids which had been received for "School Street Storm Drain, Walnut Street to Lockeford Street" as follows:

	<u>Bidder</u>	<u>Amount</u>
AWARD - SCHOOL STREET STORM DRAIN WALNUT TO LOCKEFORD	Hess-Hatcher	\$123,033.80
	Parrish, Inc.	\$143,428.00
	Claude C. Wood Co.	\$166,287.90
	W. M. Lyles	\$181,883.00
	Teichert Construction	\$190,195.00
	A & E Pipe Lines	\$238,736.00

The City Manager recommended that the contract be awarded to Hess-Hatcher, the low bidder, in the amount of \$123,033.80.

RES. NO. 4070

Following discussion, on motion of Councilman Katnich, Ehrhardt second, Council adopted Resolution No. 4070

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awarding the contract for "School Street Storm Drain, Walnut Street to Lockeford Street" to Hess-Hatcher, the low bidder, in the amount of \$123,033.80.

City Manager Graves introduced the matter of the rate increase requested by Sanitary City Disposal Company, Inc. which had been continued from the regular Council meeting of May 21, 1975. The City Manager reiterated the rate increase request made by Mr. DeBenedetti at the May 21, 1975 Council meeting as follows:

a. Increase the rate of return, allowing interest expense and the ranch land, excluding trees, vines and building;

b. Allow a built-in inflation factor to help stabilize the rates charged and to help hedge against inflation;

c. Eliminate the five year average, as it is not representative of the present economy and therefore impractical;

d. Requested that the rate for the first can be increased \$1.05 per month and that each additional can be increased \$.40 per month;

e. Requested that a 12.6% over-all increase be allowed on commercial rates and that commercial customers using specific types of service be brought to the existing slated rates for those services.

SANITARY CITY
DISPOSAL CO.
GRANTED RATE
INCREASE

City Manager Graves recommended a 35% across-the-board increase.

Lengthy discourse followed, with questions being directed to the City Manager, City Attorney, Finance Director and Mr. Dario DeBenedetti of Sanitary City Disposal Co., Inc. by the Council.

On motion of Councilman Pinkerton, Ehrhardt second, Council excluded Section 5 of the formula relating to the rate of return for the Sanitary City Disposal Company regarding the employing of a five-year moving average, which was established March 15, 1972.

ORD. NO. 1055
INTRODUCED

Councilman Pinkerton then moved introduction of Ordinance No. 1055 - increasing the monthly rate to be charged for garbage collection service at any private dwelling house or residence for one garbage collection weekly to:

a) For the first container of thirty gallons or less, one dollar and ninety cents.

b) For ^{each additional container} ~~the second~~ container of thirty gallons or less, seventy-five cents.

The motion was seconded by Councilman Ehrhardt and carried.

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On motion of Councilman Katnich, Pinkerton second, Mayor Schaffer was directed to assign a Committee of Council and Staff to meet with Mr. Dario DeBenedetti of Sanitary City Disposal Co., Inc. to re-evaluate the entire garbage service formula, rate structures, and the general relationship.

RECESS

The Mayor declared a five-minute recess, and the Council reconvened at 10:25 PM.

The City Manager apprised Council that three years ago, a joint study by the City of Lodi and its employee groups was undertaken to study the possibility of withdrawing from Social Security. On May 21 and 22, 1975, a vote was taken of the City employees with the following results:

208 votes cast to withdraw from Social Security coverage

51 votes cast against withdrawing from Social Security coverage

City Manager Graves stated that inasmuch as it requires a two-year lead time, it would now be appropriate for the City Council to file its resolution of intention to withdraw from Social Security coverage, adding that during the next two years, it will be necessary for a Study Committee to be appointed to determine the best method of supplemental coverage.

The following employees of the City of Lodi were in the audience and spoke in favor of withdrawing from Social Security coverage:

Albert Cross, 210 W. Vine Street, Lodi

Dagmar Linton, 17772 N. Cluff Ave., Lodi

Robert Gorbet, 1122 S. Hutchins, Lodi

City employee Paul McClure, 615 Holly Drive, Lodi spoke against the City withdrawing from Social Security.

A lengthy discussion followed with questions being directed to City Manager Graves, Assistant City Manager Glenn, and City Attorney Mullen.

Councilman Hughes expressed his concern that the City not be committed to expend the City's entire Social Security contribution, if a comparable plan can be obtained for a lessor sum.

Councilman Katnich moved that City Manager Graves be appointed as the Authorized Agent of the Public Agency regarding termination of Social Security, Old Age, Survivors, Disability, and Health Insurance Agreement between the City of Lodi and the State of California. The motion was seconded by Councilman Ehrhardt and carried.

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Councilman Katnich then moved for adoption of Resolution No. 4071 requesting the termination of the Social Security, Old Age, Survivors, Disability, and Health Insurance Agreement between the City of Lodi and the State of California. The motion was seconded by Councilman Pinkerton and carried.

On motion of Councilman Katnich, Ehrhardt second, Council authorized Henry A. Graves, Authorized Agent of the Public Agency, to execute certification of Council action on this matter.

Mayor Schaffer assured all those present of the Council's concern regarding this matter.

REVISED
FEE SCHEDULE
FOR RECREATION
DEPT. APPRVD.

City Manager Graves presented a proposed revised fee schedule for the Recreation Department, recommending that Council approve the schedule as presented.

Following discussion, with questions being directed to City Manager Graves by the Council, on motion of Councilman Katnich, Hughes second, Council approved the proposed revised fee schedule for the Recreation Department as presented.

ACTION
ON AGEND
ITEM "i"
DEFERRED

As requested by the City Attorney, action on Agenda Item "i" - "Amend City Code regarding the providing of refuse containers for Multi-family Developments" was deferred.

MUNICIPAL
CODE CHANGES
PROPOSED TO
ESTABLISH
COMMUNITY
DEVELOPMENT
DEPT.

City Manager Graves advised the Council that in order to more properly provide services to the public and to provide a better chain of communication, the building inspection function has been merged into the Planning Department. The City Manager proposed the new department be called, the "Department of Community Development." It is necessary, therefore, to revise certain sections of the Municipal Code to reflect this change. A proposed ordinance covering the necessary changes as prepared by the City Attorney was presented for Council's approval.

ORD. NO. 1056
INTRODUCED.

Councilman Pinkerton moved for introduction of Ordinance No. 1056 - "An Ordinance Amending the Lodi City Code Changing all References in Said Code from "Building Department" to "Building Division", and Establishing the "Department of Community Development." The motion was seconded by Councilman Ehrhardt and carried.

REQUEST FOR
RECREATION
FACILITIES
SCHEDULES

Councilman Pinkerton requested that schedules be made available by the Recreation Department of the available recreational facilities, outlining the procedure for reserving these facilities, including time limits on such reservations.

MALL FOUNTAIN
REACTIVATION
REQUESTED

Following the suggestion by Councilman Katnich, Mayor Schaffer directed Staff to look into the reactivation and re-lighting of the Mall Fountain during the months of

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June, July, August, and September.

COUNCIL
UPDATED ON
WATER
MEETINGS

Councilman Hughes reported to the Council on recent meetings he had attended of the North San Joaquin Water Conservation District and the newly formed East San Joaquin Water Users Assn.

BUDGET
1975-76

The City Manager presented the proposed Operating Budget for fiscal year 1975-76. Mr. Graves pointed out that the Operating Budget totals \$11,396,130, which is an increase of \$2,476,765 over the budget for 1974-75, an increase of 27.8%. Additional explanation by the City Manager of the proposed budget followed, with discussion and questions being raised by the Council. No action was taken by the Council on the proposed budget at this meeting.

ADJOURNMENT

The meeting was adjourned at 11:22 PM by Mayor Schaffer to June 11, 1975 at 7:30 p.m. on motion of Councilman Pinkerton, Katnich second.

Attest: *Alice M. Reimche*
ALICE M. REIMCHE
City Clerk